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REMARKS

Claims 246, 253, 257, 263, 341, 346 and 349 have been amended. Claims 151-220, 246-266 and 292-356 are pending.

Claims 246, 253, 257, 263, 341 and 349 have been amended to more clearly point out the claimed subject matter. In particular, these claims have been amended to recite that the C-C chemokine receptor 3 protein is encoded by a nucleic acid that hybridizes to a second nucleic acid consisting of a nucleotide sequence recited in the claims. It should be understood that Claims 246, 253, 257, 263, 341 and 349 encompass antibodies and antigen-binding fragments thereof that bind to CCR3 proteins encoded by single stranded nucleic acids or by double stranded nucleic acids.

Claim 346 has been amended to delete "naturally occurring mammalian."

The amended claims are supported by the application as filed. Therefore, this amendment adds no new matter.

ATCC Deposit Receipt

A copy of the ATCC Deposit Receipt and Viability Statement for murine hybridoma 7B11 is provided herewith, completing the formalities for deposit. Murine Hybridoma 7B11 was deposited under the Budapest Treaty, and a Declaration Under 37 C.F.R. § 1.806 and § 1.808 was previously filed in this application.

Examiner Interview

The undersigned thanks Examiner Mertz for conducting a telephonic interview on June 20, 2003, and for indicating that the claims as amended herein would be allowable.

Information Disclosure Statements

Supplemental Information Disclosure Statements (SIDS) were filed on April 11, 2003 and May 21, 2003. Acknowledgment of consideration of the information provided in the SIDS is requested in the next Office Communication.

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CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned at (978) 341-0036.

Respectfully submitted,

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Dated: June 26, 2003

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MARKED UP VERSION OF AMENDMENTS

Claim Amendments Under 37 C.F.R. § 1.121(c)(1)(ii)

246. (Twice Amended) An antibody or antigen-binding fragment thereof that specifically binds a C-C chemokine receptor 3 protein, wherein said C-C chemokine receptor 3 protein is encoded by a nucleic acid that hybridizes to a second nucleic acid consisting of the nucleotide sequence of [SEQ ID NO:1, SEQ ID NO:5;] the complement of SEQ ID NO: 1 or the complement of SEQ ID NO:5 under hybridization conditions of 50% formamide, 5X SSC, 1X Denhardt's solution, 10% dextran sulfate, 20 mM Tris(hydroxymethyl)aminomethane pH 7.5 and 1% SDS at 42°C, and wash conditions of 2X SSC/0.1% SDS at 42°C, and has binding specificity for eotaxin.
253. (Twice Amended) The antibody or antigen-binding fragment of Claim 246, wherein said C-C chemokine receptor 3 protein is encoded by a nucleic acid that hybridizes to a second nucleic acid consisting of the nucleotide sequence of [SEQ ID NO:1, SEQ ID NO:5;] the complement of SEQ ID NO:1 or the complement of SEQ ID NO:5 under hybridization conditions of 6X SSC containing 5X Denhardt's solution, 10% (w/v) dextran sulfate, 2% SDS and sheared salmon sperm DNA (100 µg/mL) at 65°C and wash conditions of 0.2X SSC, 0.5% SDS at 65°C, and has binding specificity for eotaxin.
257. (Twice Amended) An antibody or antigen-binding fragment thereof that specifically binds a C-C chemokine receptor 3 protein, wherein said C-C chemokine receptor 3 protein is encoded by a nucleic acid that hybridizes to a second nucleic acid consisting of the nucleotide sequence of [SEQ ID NO:3; or] the complement of SEQ ID NO:3 under hybridization conditions of 50% formamide, 5X SSC, 1X Denhardt's solution, 10% dextran sulfate, 20 mM Tris(hydroxymethyl)aminomethane pH 7.5 and 1% SDS at 42°C, and wash conditions of 2X SSC/0.1% SDS at 42°C, and has binding specificity for eotaxin.

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263. (Twice Amended) The antibody or antigen-binding fragment of Claim 257, wherein said C-C chemokine receptor 3 protein is encoded by a nucleic acid that hybridizes to a second nucleic acid consisting of the nucleotide sequence of [SEQ ID NO:3 or] the complement of SEQ ID NO:3 under hybridization conditions of 6X SSC containing 5X Denhardt's solution, 10% (w/v) dextran sulfate, 2% SDS and sheared salmon sperm DNA (100 µg/mL) at 65°C and wash conditions of 0.2X SSC, 0.5% SDS at 65°C, and has binding specificity for eotaxin.

341. (Amended) An antibody or antigen-binding fragment thereof having binding specificity for a C-C chemokine receptor 3 protein that is expressed on the surface of a cell, wherein said C-C chemokine receptor 3 protein is encoded by a nucleic acid that hybridizes to a second nucleic acid consisting of the nucleotide sequence of [SEQ ID NO:1, SEQ ID NO:5,] the complement of SEQ ID NO:1 or the complement of SEQ ID NO:5 under hybridization conditions of 50% formamide, 5X SSC, 1X Denhardt's solution, 10% dextran sulfate, 20 mM Tris(hydroxymethyl)aminomethane pH 7.5 and 1% SDS at 42°C, and wash conditions of 2X SSC/0.1% SDS at 42°C, and has binding specificity for eotaxin.

346. (Amended) The antibody or antigen-binding fragment of Claim 341, wherein said [naturally occurring mammalian] C-C chemokine receptor 3 protein is a human C-C chemokine receptor 3 protein.

349. (Amended) The antibody or antigen-binding fragment of Claim 341, wherein said C-C chemokine receptor 3 protein is encoded by a nucleic acid that hybridizes to a second nucleic acid consisting of the nucleotide sequence of [SEQ ID NO:1, SEQ ID NO:5,] the complement of SEQ ID NO:1 or the complement of SEQ ID NO:5 under hybridization conditions of 6X SSC containing 5X Denhardt's solution, 10% (w/v) dextran sulfate, 2% SDS and sheared salmon sperm DNA (100 µg/mL) at 65°C and wash conditions of 0.2X SSC, 0.5% SDS at 65°C, and has binding specificity for eotaxin.